

NOTE: A three-minute maximum time limit will be imposed on all comments from the public related to the agenda items. A request form is available at the front. Please complete and return it prior to the start of the meeting. When you speak, you must come to the podium in the front and clearly state your name and address for the record. Please turn off or mute your cell phone or pager at the start of the meeting.

TOWN OF BAY HARBOR ISLANDS

SPECIAL COUNCIL MEETING AGENDA

June 29, 2022 – Approximately 7:00 P.M.

SPECIAL NOTICE

A Special Meeting of the Town Council of the Town of Bay Harbor Islands will take place in a Hybrid format, on Wednesday, June 29, 2022, at approximately 7:00 p.m. following the Budget Public Hearing, where a quorum of the Town Council will be physically present at the Town Hall Council Chambers. The public and other members of staff are welcome to participate in person or virtually via the Zoom video conferencing platform.

To request to speak during Public Comment, please utilize the “raise your hand” Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

Meeting Link: <https://us06web.zoom.us/j/89300025530>

Meeting ID: 893 0002 5530

To request to speak during Public Comment, please utilize the “raise your hand” Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

The staff, members of the public and the applicants are strongly encouraged to attend virtually but will not be denied access to the physical meeting, consistent with public safety and health considerations.

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing the Toll-free numbers below:

US Toll Free Numbers: 877 853 5247 or 888 788 0099

For higher quality, dial a number based on your current location):

US: 1 312 626 6799 or 1 646 558 8656 or 1 301 715 8592

Meeting ID: 893 0002 5530

Participant ID: Press the # key.

To request to speak: Dial *9 on your telephone device to activate the “Raise your Hand” feature on the zoom platform.

Members of the Public can also submit their request to speak and/or comments via email to the Office of the Town Clerk at yhamilton@bayharborislands-fl.gov

CALL TO ORDER approximately 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

1. **Consideration and Approval** of a Resolution regarding Amendment No. 1 to the FY 2021-2022 Budget. Attached is a copy of the proposed Resolution with supporting documents.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2021/2022 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Adopt

POLL VOTE

2. **Consideration and Approval** of a Resolution amending the fees to be assessed per parking space regarding the Town Parking Trust Program, pursuant to Section 23-19.1 of the Town Code, sponsored by Council Member Bruder. Enclosed is a copy of the draft Resolution and other supporting documents.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE FEES TO BE ASSESSED PER PARKING SPACE REGARDING THE TOWN PARKING TRUST PROGRAM; PURSUANT TO SECTION 23-19.1 OF THE TOWN CODE; REPEALING ALL OTHER RESOLUTIONS; PROVIDING FOR AUTHORIZATION AND APPROVAL AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion.

POLL VOTE

3. **Consideration and Approval** of an ordinance on Second Reading amending Section 23-12(15)(a) of the Zoning and Planning Code to establish regulations for balconies in the Gateway "G" District, sponsored by Council Member Robert Yaffe. Enclosed is a copy of the proposed ordinance and other supporting documents.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO THE REGULATION OF EXTERIOR BALCONIES; AMENDING SECTION 23-12(15)(a) OF THE ZONING AND PLANNING CODE TO ESTABLISH REGULATIONS FOR BALCONIES IN THE GATEWAY "G" DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion.

POLL VOTE

4. **Consideration and Approval** of an application for an appeal to the Town Council of the Town of Bay Harbor Islands, Florida of a June 7th, 2022 decision of the Design Review Board, denying an application by Bay Harbor Islands Property Owner II, LLC for Site Development Plan Modification pertaining to development at 9431, 9461, and 9481 East Bay Harbor Drive, Bay Harbor Islands, Florida. Enclosed are supporting documents.

STAFF RECOMMENDATION: Council's Discretion.

POLL VOTE

5. **Consideration and Approval** of an application by Bay Harbor Islands Property Owner II, LLC for approval of alternate parking arrangements, including tandem and valet parking spaces for the proposed “La Baia North” project to be located at 9431, 9461, and 9481 East Bay Harbor Drive, Florida, pursuant to Section 23-0(F) of the Town Code. Enclosed is a copy of the applicant's request with supporting documents.

STAFF RECOMMENDATION: Council's Discretion.

POLL VOTE

6. **Consideration and Approval** of a Parking Trust Payment Agreement with Bay Harbor Islands Property Owner II for payment of a fee to the Town's Parking Trust for a portion of the required parking spaces in lieu of the Developer providing all of the project's required on-site parking spaces, pursuant to Section 23-29.1 of the Town Code; for the proposed “La Baia North” project to be located at 9431, 9461 & 9481 East Bay Harbor Drive. Approval of alternative parking arrangements valet and tandem parking, to satisfy parking requirements per Code, Section 23-30 (f). Approval of conditions for alternative parking arrangements and use of Parking Trust pursuant to revised site plan application. Enclosed is a copy of the proposal setting forth the terms of the agreement and a copy of the related section of the Town Code.

STAFF RECOMMENDATION: Council's Discretion.

POLL VOTE

7. **Consideration and Approval** of a resolution establishing the Town Clerk's annual compensation. Enclosed is a copy of the proposed Resolution.

A RESOLUTION OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA ESTABLISHING THE TOWN CLERK’S ANNUAL COMPENSATION; SETTING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion.

POLL VOTE

ADJOURNMENT: Approximately 9:00 p.m.

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Town Council with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.